

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RYAN PARKER, :
Petitioner, : Civ. No. 20-7384 (EP)
v. : **AMENDED MEMORANDUM
OPINION & ORDER**
UNITED STATES OF AMERICA, :
Respondent. :
-----:

APPEARANCES:

Ryan Parker
71164-050
United States Penitentiary-Hazelton
P.O. Box 2000
Bruceton Mill, WV 26565

Petitioner *Pro se*

Philip R. Sellinger, United States Attorney
Desiree Grace Latzer, Assistant U.S. Attorney
United States Attorney's Office for the District of New Jersey
970 Broad Street
Newark, NJ 07102

Attorneys for Respondent

PADIN, District Judge.

WHEREAS, Ryan Parker filed a pro se motion to correct, vacate, or set aside his federal sentence under 28 U.S.C. § 2255, DE 1, *United States v. Parker*, No. 17-cr-0414 (D.N.J. July 31, 2018); and

WHEREAS, Petitioner argues that his guilty plea is invalid after the Supreme Court's decision in *Rehaif v. United States*, 139 S. Ct. 2191 (2019); and

WHEREAS, the United States opposed on July 31, 2020, DE 3; and

WHEREAS, the matter was reassigned to the undersigned on June 28, 2022. DE 4.

Having reviewed the docket, I conclude that further information would assist in ruling on Petitioner's motion; and

WHEREAS, Rule 7 of the Rules Governing Section 2255 Proceedings permits the presiding judge to "direct the parties to expand the record by submitting additional materials relating to the motion"; and

WHEREAS, I find that the transcripts of Petitioner's April 20, 2018 plea hearing and July 31, 2018 sentencing would assist my review of Petitioner's motion; and

WHEREAS my July 22, 2022 order, DE 5, instructed that the Government file said transcripts,

IT IS, on this 27th day of July, 2022,

ORDERED that the July 22, 2022 Order, DE 5, is amended to instruct the court reporter, rather than the U.S. Attorney, to file certified transcripts of Petitioner's April 30, 2018 plea hearing and July 31, 2018 sentencing on the docket, and serve Petitioner with copies, in accordance with the Criminal Justice Act. 28 U.S.C. § 2255 Rule 7(a); and it is further

ORDERED that Petitioner may file any response within 30 days of receiving the transcripts, 28 U.S.C. § 2255 Rule 7(b); and it is finally

ORDERED that the Clerk shall send Petitioner a copy of this Order by regular mail.

At Newark, New Jersey

/s/Evelyn Padin
EVELYN PADIN, U.S.D.J.